

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

NAUTILUS INSURANCE COMPANY,  
Plaintiff

v.

HAMMERS CONTRACTORS, INC.;  
FITLER CONSTRUCTION GROUP LLC;  
2330 SANSOM STREET LLC; HANNA  
MARHUNOVA, as Administratrix of the  
ESTATE OF SIARHEI MARHUNOU  
Deceased, and in her Own Right.

Defendants

Civil Action No. 2:23-cv-04140-MAK

**JOINT STIPULATION OF VOLUNTARY DISMISSAL OF DEFENDANTS, FITLER  
CONSTRUCTION GROUP LLC AND 2330 SANSOM STREET LLC**

Plaintiff, Nautilus Insurance Company (“Nautilus”), and Defendants, Fitler Construction Group LLC and 2330 Sansom Street LLC (“Fitler/Sansom”), by and through their respective undersigned counsel, and pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, respectfully request that this Court dismiss Nautilus’s Complaint as to Fitler/Sansom only – in exchange for the following stipulation.

In exchange for Nautilus’s agreement to dismiss its Complaint against them, Fitler/Sansom hereby stipulate that (a) they hereby withdraw their tender to Nautilus of their defense and indemnity in the underlying action captioned, *Hanna Marhunova v. Fitler Construction Group, LLC et al.*, Philadelphia Court of Common Pleas, May Term, 2022, Case Id. 220501520 (the “Underlying Action”), and (b) they agree that Nautilus has no obligation to further defend or to indemnify them in the Underlying Action and/or for any judgment or settlement therein.

<p>POST &amp; SCHELL, PC</p> <p>BY: <u>/s/ Anthony L. Miscioscia</u>            Anthony L. Miscioscia (PA ID # 69215)            1600 John F. Kennedy Blvd., 13th Floor            Philadelphia, PA 19103-7395            (215) 587-1170  <i>Attorney for Plaintiff,</i>  <i>Nautilus Insurance Company</i></p>	<p>COHEN SEGLIAS PALLAS GREENHALL &amp; FURMAN PC</p> <p>BY: <u>/s/ Jonathan A. Cass</u>            Jonathan A. Cass (PA ID # 76159)            1600 Market Street, 32nd Floor            Philadelphia, PA 19103            (267) 238-4736  <i>Attorney for Defendants,</i>  <i>Fitler Construction Group LLC and</i>  <i>2330 Sansom Street LLC</i></p>
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